

Appl. No. 10/686,959
Response Dated March 27, 2006
Reply to Office Action of December 27, 2005

Docket No.: 42P16717
Examiner: Yang, Clara I
TC/A.U. 2635

REMARKS

Summary

Claims 1-2 and 4-17 remain standing in this application. Claim 3 has been canceled. Claims 1, 6, 9, 11, 14 and 16 have been amended. Claims 18-27 were previously withdrawn. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

37 C.F.R. 1.75(c)

At page 2, paragraph 1 of the Office Action claim 3 stands objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant respectfully traverses the objection, and requests reconsideration and withdrawal of the objection. Claim 3 has been cancelled as suggested in the Office Action.

35 U.S.C. § 102

At page 2, paragraph 3 of the Office Action claims 1-17 stand rejected under 35 U.S.C. § 102 as being anticipated by United States Patent Number (USPN) 6130896 ("Lueker"). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection.

Although Applicant disagrees with the broad grounds of rejection set forth in the Office Action, Applicant has amended claims 1, 6, 9, 11, 14 and 16 in order to facilitate prosecution on the merits. Applicant submits that the amendments merely clarify, either expressly or impliedly, what was already present in the claims. Furthermore, Applicant

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submits that the amendments are not narrowing amendments and are not being made for reasons substantially related to patentability.

Independent claim 1 was amended to recite "a wireless communication system comprising: a wireless transceiver to transmit and receive information to one or more other wireless communication systems over a wireless channel; an antenna coupled to the wireless transceiver; a wireline transceiver to transmit and receive information over a wireline network; a processor coupled to the wireline transceiver and the wireless transceiver, wherein the communication system is adapted to send and receive one or more data messages over the wireless channel and to send and receive one or more control messages over the wireline network to coordinate one or more aspects of communication over the wireless channel and to receive a common timing signal from the wireline network."

Independent claim 6 was amended to recite "a wireless node comprising: a wireless transceiver to transmit and receive information to one or more other wireless nodes over a wireless channel; a power line transceiver to transmit and receive information to other nodes over a power line network; and a processor coupled to said transceivers, wherein the node is adapted to communicate one or more control messages over the power line network to coordinate one or more aspects of communication over the wireless channel between the nodes and to receive a common timing signal from the power line network."

Independent claim 9 was amended to recite "a communication system comprising: a wireline network; and one or more wireless nodes coupled to the wireline network, wherein one or more of the wireless nodes are adapted to communicate one or more data

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messages with other wireless nodes over a wireless channel and to communicate control messages with other wireless nodes over the wireline network to coordinate one or more aspects of the communication of messages over the wireless channel and to receive a common timing signal from the wireline network.”

Independent claim 11 was amended to recite “a method of transmitting messages between wireless nodes, one or more of the wireless nodes being coupled to both a wireless channel and a wireline network, the method comprising: the one or more wireless nodes communicating one or more data messages over the wireless channel; and the one or more wireless nodes communicating one or more control messages over the wireline network to coordinate one or more aspects of communication between the wireless nodes over the wireless channel and receiving a common timing signal from the wireline network.”

Independent claim 14 was amended to recite “a method of using both a wireless network and a power line network comprising: communicating one or more data messages over a wireless channel; communicating one or more control messages over a wireline network to coordinate one or more aspects of communication over the wireless channel; and receiving a common timing signal from the wireline network.”

Independent claim 16 was amended to recite “an article comprising: a storage medium; said storage medium including stored thereon instructions that, when executed by a processor, result in: communicating one or more data messages over a wireless channel; communicating one or more control messages over a wireline network to coordinate one or more aspects of communication over the wireless channel; and receiving a common timing signal from the wireline network.”

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Support for these amendments can be found in the specification at paragraphs [0060] – [0062] and in Figure 7. The amended claims may have the added benefit of providing “a common and accurate timing signal...to a plurality of nodes.” Specification at [0062].

In view of the above recited amendments, reconsideration and withdrawal of the § 102(b) rejection of claims 1, 6, 9, 11, 14 and 16 is respectfully requested. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection with respect to claims 2, 4-5, 7-8, 10, 12-13, 15 and 17 that depend from claim 1, 6, 9, 11, 14 and 16, and therefore contain additional features that further distinguish these claims.

Conclusion

For at least the above reasons, Applicant submits that claims 1-2 and 4-17 recite novel features and that the above-recited novel features provide new and unexpected results.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited reference based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

It is believed that claims 1-2 and 4-17 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

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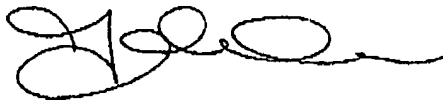
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The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

KACVINSKY LLC



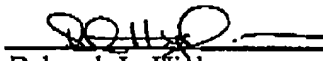
John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

Dated: March 27, 2006

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.


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3/27/06
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